

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Case No.: 3:07-cr-80-WHA
)	
ALEXIS RAMON HERRERA-FLORES)	

UNOPPOSED MOTION TO CONTINUE SENTENCING

COMES NOW the Defendant, by undersigned counsel, and respectfully moves to continue this Arraignment, now scheduled for July 2, 2008.

In support of this Motion, the Defendant would show:

1. Defense counsel is separately filing a Motion to Withdraw Plea, based on the fact that Mr. Herrera-Flores did not enter a knowing plea. The draft presentence report has suggested that the applicable sentencing guidelines range is one which is approximately six times the maximum range of which Mr. Herrera-Flores was advised by counsel.

2. Undersigned counsel has communicated this Motion to the United States and to the U.S. Probation officer. While the government may oppose the Motion to Withdraw Plea, the government does not oppose this Motion.

3. Even if this Court does not grant the Motion to Withdraw Plea, due to the unanticipated contents of the presentence report, additional investigation and preparation will be necessary for sentencing.

WHEREFORE, Defendant requests that this Motion be granted.

Respectfully submitted,

s/Christine A. Freeman

CHRISTINE A. FREEMAN

TN BAR NO.: 11892

Attorney for Alexis Ramon Herrera-Flores

Federal Defenders

Middle District of Alabama

201 Monroe Street , Suite 407

Montgomery, AL 36104

TEL: (334) 834-2099

FAX: (334) 834-0353

E-Mail: Christine_Freeman@fd.org

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Nathan D. Stump, Esquire, Assistant United States Attorney, One Court Square, Suite 201, Montgomery, Alabama 36104.

s/Christine A. Freeman

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